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OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

**THIRTY-SECOND LEGISLATIVE DAY
THURSDAY, FEBRUARY 6, 2014**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Representative Woodings.

The Pledge of Allegiance was led by Julia Horman, Page.

Approval of Journal

February 6, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-first Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

At this time, the Speaker put the House at ease.

The Idaho State Historical Society presented for viewing by the body a "Loving Cup" awarded to Payette County, 110 years ago by the National Irrigation Congress. The cup was awarded to them for their display of "best fruit grown by irrigation."

Representative Bateman spoke briefly about its historical significance.

Consideration of Messages from the Governor and the Senate

February 5, 2014

Mr. Speaker:

I return herewith enrolled [H 386](#), [H 387](#), and [H 388](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 386](#), [H 387](#), and [H 388](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 5, 2014

Mr. Speaker:

I return herewith [H 375](#) which has passed the Senate.

NOVAK, Secretary

[H 375](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 6, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 39](#) and [H 451](#).

WILLS, Chairman

[HCR 39](#) was referred to the Health and Welfare Committee.

[H 451](#) was referred to the Local Government Committee.

February 6, 2014

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 374](#).

WILLS, Chairman

The Speaker announced he was about to sign enrolled [H 374](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 5, 2014

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 427](#) and report it back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

[H 427](#) was placed on General Orders for consideration.

February 6, 2014

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 394](#) and [H 395](#) and recommend that they do pass.

WOOD(27), Chairman

[H 394](#) and [H 395](#) were filed for second reading.

February 6, 2014

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [S 1213](#), [S 1236](#), and [S 1237](#) and recommend that they do pass.

COLLINS, Chairman

[S 1213](#), [S 1236](#), and [S 1237](#) were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 40 BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND
AUTHORIZING THE LEGISLATIVE COUNCIL TO
APPOINT A COMMITTEE TO UNDERTAKE AND
COMPLETE A STUDY OF POTENTIAL APPROACHES TO
PUBLIC DEFENSE REFORM.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Public Defense Reform Interim Committee was authorized by the Legislative Council at the recommendation of the members of the First Regular Session of the Sixty-second Idaho Legislature for the purpose of undertaking and completing a study of potential approaches to the public defense system; and

WHEREAS, the Public Defense Reform Interim Committee committed itself to the task of identifying potential deficiencies in Idaho's public defense system and developing recommendations for public defense reform; and

WHEREAS, the Public Defense Reform Interim Committee identified deficiencies in Idaho's public defense system. Such deficiencies include, but are not limited to: a lack of uniformity in financial contribution and recoupment practices, public defense contracting practices and data reporting; excessive caseloads and workloads; a lack of independence of the public defense function; a lack of training and resources for public defense attorneys; a lack of qualifications and experience standards for public defense attorneys; and the existence of flat fee contracts for public defense services; and

WHEREAS, the Public Defense Reform Interim Committee has sought to address such deficiencies through legislation that includes a public defense model where, although public defense delivery at the trial level would remain primarily funded and administered at the county level, certain oversight and administration authority would be statutorily delegated to an independent commission authorized to promulgate certain rules with which counties are required to comply, including statewide training and continuing legal education requirements for public defense attorneys and uniform data reporting requirements. In addition, the independent commission would be statutorily required to make recommendations to the First Regular Session of the Sixty-third Idaho Legislature, and may make recommendations during the regular sessions of the Legislature thereafter as deemed necessary, for legislation relating to core requirements for public defense contracts; standards for the qualification and experience of public defense attorneys; enforcement mechanisms; and funding issues; and

WHEREAS, the legislation recommended by the Public Defense Reform Interim Committee also provides for a public defense model where the counties' statutory duty to provide for counsel at public expense would be accomplished by one of the following: (1) establish an office of public defender; (2) establish a joint office of public defender with one or more other counties; (3) contract with an existing office of public defender; or (4) contract with a defending attorney provided that no such contract shall include a flat fee pricing structure; and

WHEREAS, during the course of its study, the Public Defense Reform Interim Committee identified additional issues in need of further study. Such issues include funding issues; the municipalities' participation in and potential financial contribution to the public defense system; and effective enforcement mechanisms to ensure compliance with public defense system standards and requirements.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of potential approaches to public defense reform including, but not limited to: funding issues; municipalities' participation in and potential financial contribution to the public defense system; and effective enforcement mechanisms to ensure compliance with public defense system standards and requirements. The committee shall consist of ten legislators, with five from

the Senate and five from the House of Representatives. The Legislative Council shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that the cochairmen of the committee are authorized to appoint advisors with technical expertise in the area of public defense and are expected to receive input from stakeholders in the criminal justice system of Idaho.

BE IT FURTHER RESOLVED that any advisors to the committee who are not legislative members shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges.

BE IT FURTHER RESOLVED that the commission shall report its findings, recommendations and proposed legislation, if any, to the First Regular Session of the Sixty-third Idaho Legislature.

HOUSE RESOLUTION NO. 5 BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

A HOUSE RESOLUTION
STATING FINDINGS OF THE HOUSE OF
REPRESENTATIVES AND PROVIDING FOR THE
AMENDMENT OF RULE 74 OF THE RULES OF THE
HOUSE OF REPRESENTATIVES.

Be It Resolved by the House of Representatives of the State of Idaho:

WHEREAS, the House of Representatives deems it necessary and desirable that Rule 74 of the Rules of the House of Representatives be amended.

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives, assembled in the Second Regular Session of the Sixty-second Idaho Legislature, that Rule 74 of the Rules of the House of Representatives shall be amended to read as follows:

RULE 74
Attaches, Selection, Removal, Duties
and Compensation
Attaches, Selection, Removal, Duties and Compensation. – The House shall by resolution determine selection and compensation of the attaches to serve the House during each session and the compensation to be paid therefor. The Speaker of the House shall select all attaches and they shall serve at his pleasure shall be determined by the Speaker. All attaches shall serve at the pleasure of the Speaker. The Speaker shall prescribe the duties of all attaches and have general supervision of all attaches in the performance of their duties.

HCR 40 and HR 5 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 452 BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT
RELATING TO SICK LEAVE; AMENDING SECTION
33-1217, IDAHO CODE, TO PROVIDE THAT AN
EMPLOYEE EMPLOYED BY A STATE EDUCATIONAL
AGENCY SHALL BE CREDITED CERTAIN UNUSED SICK
LEAVE AND TO MAKE TECHNICAL CORRECTIONS; AND

AMENDING SECTION 67-5333, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN SICK LEAVE CREDITS, TO PROVIDE FOR THE APPLICATION OF LAW AND TO ESTABLISH A MAXIMUM UNUSED SICK LEAVE AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 453
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
 AN ACT

RELATING TO JUDGMENT; AMENDING CHAPTER 25, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-2520A, IDAHO CODE, TO PROVIDE FOR THE EXTENSION OF A SENTENCE FOR CERTAIN FELONY VIOLATIONS AGAINST OLDER PERSONS.

HOUSE BILL NO. 454
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
 AN ACT

RELATING TO THE IDAHO PUBLIC DEFENSE ACT; AMENDING CHAPTER 8, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-847, IDAHO CODE, TO PROVIDE A SHORT TITLE; AMENDING CHAPTER 8, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-848, IDAHO CODE, TO ESTABLISH THE STATE PUBLIC DEFENSE COMMISSION; AMENDING CHAPTER 8, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-849, IDAHO CODE, TO PROVIDE FOR THE POWERS AND DUTIES OF THE STATE PUBLIC DEFENSE COMMISSION; AMENDING CHAPTER 8, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-850, IDAHO CODE, TO PROVIDE FOR THE STATE PUBLIC DEFENSE COMMISSION FUND; AMENDING SECTION 19-853, IDAHO CODE, TO REMOVE PROVISIONS RELATING TO THE APPOINTMENT AND ASSIGNMENT OF CERTAIN COUNSEL AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 19-859, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DUTY OF THE BOARDS OF COUNTY COMMISSIONERS TO PROVIDE FOR THE REPRESENTATION OF INDIGENT PERSONS AND OTHER INDIVIDUALS WHO ARE ENTITLED TO BE REPRESENTED BY AN ATTORNEY AT PUBLIC EXPENSE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 19-860, IDAHO CODE, TO SPECIFY THAT CERTAIN PROVISIONS RELATING TO THE PUBLIC DEFENDER APPLY TO A JOINT OFFICE OF PUBLIC DEFENDER, TO REMOVE PROVISIONS RELATING TO THE TERM OF OFFICE OF A PUBLIC DEFENDER, TO REMOVE CERTAIN PROVISIONS RELATING TO THE SCOPE OF PRACTICE OF A PUBLIC DEFENDER, TO REMOVE PROVISIONS RELATING TO THE COMPENSATION OF A COURT-ASSIGNED ATTORNEY OTHER THAN THE PUBLIC DEFENDER AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 19-861, IDAHO CODE, TO CLARIFY THAT CERTAIN PROVISIONS APPLY TO A JOINT OFFICE OF PUBLIC DEFENDER AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 19-862, IDAHO CODE, TO PROVIDE THAT CERTAIN PROVISIONS APPLY TO A JOINT OFFICE OF PUBLIC DEFENDER AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-2601, IDAHO CODE, TO ESTABLISH THE STATE PUBLIC DEFENSE COMMISSION IN THE

DEPARTMENT OF SELF-GOVERNING AGENCIES; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 455
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
 AN ACT

RELATING TO FEES; AMENDING SECTION 31-3204, IDAHO CODE, TO INCREASE A CERTAIN FEE.

HOUSE BILL NO. 456
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
 AN ACT

RELATING TO COUNTY JAILS; AMENDING SECTION 20-237A, IDAHO CODE, TO INCREASE A CERTAIN MINIMUM RATE THAT THE STATE BOARD OF CORRECTION IS REQUIRED TO PAY COUNTIES HOUSING STATE SENTENCED PRISONERS, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 457
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
 AN ACT

RELATING TO SAFETY RESTRAINT EVIDENCE; AMENDING CHAPTER 16, TITLE 6, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 6-1608, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO EVIDENCE OF THE FAILURE TO WEAR A SAFETY RESTRAINT; AND AMENDING SECTION 49-673, IDAHO CODE, TO REMOVE LANGUAGE PROVIDING THAT THE FAILURE TO USE A SAFETY RESTRAINT SHALL NOT BE CONSIDERED UNDER ANY CIRCUMSTANCES AS EVIDENCE OF CONTRIBUTORY OR COMPARATIVE NEGLIGENCE, NOR SHALL SUCH FAILURE BE ADMISSIBLE AS EVIDENCE IN ANY CIVIL ACTION WITH REGARD TO NEGLIGENCE AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 458
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
 AN ACT

RELATING TO CHILDREN; AMENDING SECTION 18-1501, IDAHO CODE, TO PROVIDE THAT AN EXEMPTION FOR TREATMENT BY PRAYER SHALL NOT APPLY WHEN A CHILD'S MEDICAL CONDITION HAS CAUSED DEATH OR DISABILITY.

HOUSE BILL NO. 459
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
 AN ACT

RELATING TO SEX CRIMES; AMENDING SECTION 18-6608, IDAHO CODE, TO ESTABLISH ADDITIONAL PROVISIONS RELATING TO FORCIBLE SEXUAL PENETRATION BY USE OF A FOREIGN OBJECT.

HOUSE BILL NO. 460
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
 AN ACT

RELATING TO SEX CRIMES; AMENDING SECTION 18-6609, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE CRIME OF VIDEO VOYEURISM.

HOUSE BILL NO. 461
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
AN ACT

RELATING TO BEING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; PROVIDING A SHORT TITLE; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 67-1401, IDAHO CODE, TO PROVIDE ADDITIONAL DUTIES OF THE ATTORNEY GENERAL; AMENDING CHAPTER 29, TITLE 67, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 67-1412 THROUGH 67-1416, IDAHO CODE, TO DEFINE TERMS, TO CREATE THE SOBRIETY AND DRUG MONITORING PROGRAM, TO PROVIDE FOR RULES AND TESTING FEES, TO PROVIDE THE AUTHORITY FOR COURTS OR OTHER ENTITIES TO PARTICIPATE IN A SOBRIETY AND DRUG MONITORING PROGRAM AND TO PROVIDE FOR COLLECTION, DISTRIBUTION AND USE OF TESTING FEES.

HOUSE BILL NO. 462
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
AN ACT

RELATING TO RESPONSIBILITIES OF SKI AREA OPERATORS AND SKIERS; AMENDING SECTION 6-1102, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 6-1103, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 6-1106, IDAHO CODE, TO REVISE DUTIES OF SKIERS AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 463
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
AN ACT

RELATING TO THE IDAHO BUILDING CODE ACT; AMENDING SECTION 39-4126, IDAHO CODE, TO PROVIDE FOR AN INFRACTION, TO REMOVE LANGUAGE RELATING TO A MISDEMEANOR, TO PROVIDE THAT THIS SECTION SHALL NOT AFFECT CERTAIN PENALTY PROVISIONS, TO PROVIDE FOR A MISDEMEANOR, TO PROVIDE FOR APPLICATION OF LAWS AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 464
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
AN ACT

RELATING TO JUVENILE PROCEEDINGS; AMENDING SECTION 16-1608, IDAHO CODE, TO PROVIDE FOR CONSULTATION WITH THE DEPARTMENT OF HEALTH AND WELFARE IN THE EMERGENCY REMOVAL OF A CHILD.

HOUSE BILL NO. 465
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
AN ACT

RELATING TO JUVENILE PROCEEDINGS; AMENDING SECTION 16-1602, IDAHO CODE, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 16-1608, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE MAXIMUM AND MINIMUM TIME THAT A CHILD TAKEN INTO SHELTER CARE MAY BE HELD BEFORE A SHELTER CARE

HEARING; AMENDING SECTION 16-1609, IDAHO CODE, TO REVISE PROVISIONS RELATING TO NOTIFICATION OF PARENTS REGARDING SHELTER CARE HEARINGS; AND AMENDING SECTION 39-8206, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CLAIMS OF PARENTAL RIGHTS AND SHELTER CARE HEARINGS.

HOUSE BILL NO. 466
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
AN ACT

RELATING TO INATTENTIVE DRIVING; AMENDING SECTION 49-1401, IDAHO CODE, TO PROVIDE ADDITIONAL PROVISIONS RELATING TO INATTENTIVE DRIVING.

HOUSE BILL NO. 467
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-104, IDAHO CODE, TO PROVIDE THAT CERTAIN CONTROLLED HUNT PERMITS MAY ALSO BE ISSUED FOR BEAR AND TURKEY; AND AMENDING SECTION 36-106, IDAHO CODE, TO PROVIDE THAT WILDLIFE SUBJECT TO SPECIAL DEPREDATION HUNTS SHALL INCLUDE BEAR AND TURKEY.

HOUSE BILL NO. 468
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT

RELATING TO OUTFITTERS AND GUIDES; AMENDING SECTION 36-2101, IDAHO CODE, TO REVISE POLICY PROVISIONS; AMENDING SECTION 36-2102, IDAHO CODE, TO REVISE THE DEFINITION OF "OUTFITTER"; AND AMENDING SECTION 36-2103, IDAHO CODE, TO PROVIDE THAT THE DEFINITIONS OF "OUTFITTER" AND "GUIDE" DO NOT INCLUDE PRIVATE LANDOWNERS AND THEIR EMPLOYEES WHO PROVIDE FACILITIES OR SERVICES UPON THEIR OWN PRIVATELY OWNED PROPERTY, TO REVISE EXCEPTION VERBIAGE AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 469
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT

RELATING TO OUTFITTERS AND GUIDES; AMENDING SECTION 36-2108, IDAHO CODE, TO PROVIDE THAT THE OUTFITTERS AND GUIDES LICENSING BOARD SHALL NOT ACCEPT, PROCESS OR APPROVE ANY APPLICATIONS FOR OUTFITTED OR GUIDED TURKEY OR WATERFOWL HUNTING, TO PROVIDE THAT UNLESS LICENSED PRIOR TO A CERTAIN DATE, A PERSON MAY NOT OUTFIT OR GUIDE TURKEY OR WATERFOWL HUNTERS FOR COMPENSATION, TO PROVIDE CIRCUMSTANCES WHEN ANY RULE, ORDER, MEMORANDUM, POLICY, GUIDANCE OR OTHER DOCUMENT ADOPTED BY THE BOARD, OR PORTION THEREOF, IS NULL AND VOID AND SHALL HAVE NO FORCE OR EFFECT AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 470
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT

RELATING TO WOLF CONTROL; PROVIDING LEGISLATIVE INTENT; AMENDING TITLE 22, IDAHO

CODE, BY THE ADDITION OF A NEW CHAPTER 53, TITLE 22, IDAHO CODE, TO PROVIDE A CHAPTER HEADING, TO PROVIDE FOR THE IDAHO WOLF DEPREDATION CONTROL BOARD, TO PROVIDE FOR OFFICERS, TO PROVIDE FOR MEETINGS, TO PROVIDE FOR COMPENSATION, TO PROHIBIT THE USE OF FUNDS FOR CERTAIN PURPOSES, TO PROVIDE FOR REIMBURSEMENT OF EXPENSES, TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE AND DEPARTMENT OF FISH AND GAME SHALL BEAR THE COST OF ADMINISTERING MEETINGS, TO DEFINE TERMS, TO PROVIDE FOR POWERS AND DUTIES, TO CLARIFY THAT CONTROL OF WOLVES UNDER SPECIFIED LAW DOES NOT INCLUDE THE PAYMENT OF COMPENSATION FOR DAMAGES, TO PROVIDE THAT CONTROL ACTIVITIES SHALL BE CONSISTENT WITH SPECIFIED LAW, TO PROVIDE FOR THE WOLF CONTROL FUND, TO PROVIDE FOR SUBACCOUNTS, TO PROVIDE FOR THE WOLF CONTROL SECONDARY FUND, TO PROVIDE FOR THE COLLECTION AND DEPOSIT OF WOLF CONTROL ASSESSMENTS BY THE STATE BRAND INSPECTOR AND THE IDAHO SHEEP AND GOAT HEALTH BOARD, TO PROVIDE FOR THE USE OF CERTAIN FUNDS, TO PROVIDE FOR THE TRANSFER OF SPECIFIED MONEYS FROM THE FISH AND GAME FUND TO THE FISH AND GAME FUND TRANSFER SUBACCOUNT, TO AUTHORIZE THE IDAHO FISH AND GAME COMMISSION TO DIRECT THE WOLF DEPREDATION CONTROL BOARD AS TO USE OF CERTAIN FUNDS, TO PROVIDE THAT THE WOLF DEPREDATION CONTROL BOARD SHALL COMPLY WITH THE DIRECTION OF THE COMMISSION, TO PROVIDE AN EXCEPTION TO SPECIFIED REQUIREMENTS FOR COLLECTION OF WOLF CONTROL ASSESSMENTS DURING A SPECIFIC TIME PERIOD, TO PROVIDE A CONTINGENCY IN THE EVENT A SPECIFIED SUM IS NOT COLLECTED OR AVAILABLE FOR DEPOSIT INTO THE FUND AND TO PROVIDE A SUNSET DATE; AMENDING CHAPTER 1, TITLE 36, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 36-125, IDAHO CODE, TO PROVIDE THAT DURING A SPECIFIED TIME PERIOD THE FISH AND GAME COMMISSION SHALL COMPLY WITH SPECIFIED LAW IN PROVIDING THE WOLF DEPREDATION CONTROL BOARD WITH DIRECTION FOR USE OF CERTAIN FISH AND GAME FUNDS; AMENDING SECTION 25-130, IDAHO CODE, TO PROVIDE THAT WOLF CONTROL ASSESSMENTS SHALL NOT BE CONSIDERED SPECIAL ASSESSMENTS SUBJECT TO CERTAIN EFFECTIVE DATE PROVISIONS; AMENDING SECTION 25-131, IDAHO CODE, TO PROVIDE FOR WOLF CONTROL ASSESSMENTS BY THE IDAHO SHEEP AND GOAT HEALTH BOARD DURING A SPECIFIED PERIOD OF TIME; AMENDING SECTION 25-1145, IDAHO CODE, TO INCREASE THE MAXIMUM FEE THAT THE STATE BRAND INSPECTOR MAY IMPOSE FOR BRAND RENEWAL AND TO PROVIDE THAT A DESIGNATED AMOUNT OF THE FEE SHALL BE CONSIDERED A WOLF CONTROL ASSESSMENT FOR A SPECIFIED PERIOD OF TIME; TO PROVIDE FOR NONSEVERABILITY; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 471

BY RESOURCES AND CONSERVATION COMMITTEE AN ACT

RELATING TO THE REGULATION OF PIPELINE CORPORATIONS; AMENDING SECTION 61-114, IDAHO

CODE, TO CLARIFY THE DEFINITION OF OIL AND GAS GATHERING LINES; AMENDING SECTION 61-129, IDAHO CODE, TO CLARIFY THAT PIPELINE CORPORATIONS MUST MAKE APPLICATION TO THE PUBLIC UTILITIES COMMISSION TO BE REGULATED GENERALLY AS A PUBLIC UTILITY; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 472

BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO LICENSES TO CARRY CONCEALED WEAPONS; AMENDING SECTION 18-3302, IDAHO CODE, TO REMOVE PROVISIONS RELATING TO CONCEALED WEAPONS IN MOTOR VEHICLES, TO REVISE EXCEPTIONS AND TO REMOVE EXCEPTIONS FOR CERTAIN PERSONS TO ABIDE BY THE REQUIREMENT TO SECURE A LICENSE TO CARRY A CONCEALED WEAPON.

HOUSE BILL NO. 473

BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO REGULATIONS OF THE ENVIRONMENTAL PROTECTION AGENCY; AMENDING CHAPTER 1, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-102B, IDAHO CODE, TO DECLARE CERTAIN FEDERAL REGULATION AUTHORITY IS NOT AUTHORIZED BY THE UNITED STATES CONSTITUTION, TO STATE THE LEGISLATIVE DUTY TO PREVENT ENFORCEMENT OF CERTAIN REGULATIONS AND TO PROVIDE EXCEPTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 474

BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO LOCAL GOVERNMENTAL ENTITIES; AMENDING CHAPTER 4, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-450E, IDAHO CODE, TO PROVIDE A DEFINITION, TO ESTABLISH PROVISIONS RELATING TO A CENTRAL REGISTRY AND REPORTING PORTAL, TO PROVIDE FOR THE REPORTING OF CERTAIN ADMINISTRATIVE, FINANCIAL, BOND AND DEBT INFORMATION, TO PROVIDE FOR SUBMISSION OF INFORMATION FOR CALENDAR YEAR 2015, TO PROVIDE FOR NOTIFICATION BY THE COUNTY CLERK, TO PROVIDE THAT THE STATE TAX COMMISSION SHALL SUBMIT A LIST, TO PROVIDE THAT THE COUNTY CLERK OF EACH COUNTY SHALL SUBMIT A LIST, TO PROVIDE FOR NOTIFICATION BY THE LOCAL GOVERNING ENTITY, TO PROVIDE FOR NOTIFICATION BY THE LEGISLATIVE SERVICES OFFICE, TO PROVIDE FOR A PUBLIC NOTICE, TO PROVIDE FOR CONSEQUENCES IN THE EVENT OF THE ENTITY FAILING TO SUBMIT COMPLIANT INFORMATION, TO PROVIDE FOR APPLICATION OF LAWS; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 475

BY HEALTH AND WELFARE COMMITTEE AN ACT

RELATING TO THE HEALTH INSURANCE EXCHANGE; AMENDING SECTION 41-6105, IDAHO CODE, TO PROVIDE THAT SHOPPERS ON THE EXCHANGE MAY COMPARISON SHOP AND SHALL PROVIDE CERTAIN INFORMATION ONLY UPON

SUBMISSION OF AN APPLICATION AND TO PROVIDE FOR A WARNING REGARDING A SUBMISSION OF ESTIMATED INCOME.

**HOUSE BILL NO. 476
BY HEALTH AND WELFARE COMMITTEE
AN ACT**

RELATING TO MEDICAID; AMENDING SECTION 56-255, IDAHO CODE, TO REVISE PROVISIONS RELATING TO HOME-BASED AND COMMUNITY-BASED SERVICES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES.

[H 452](#), [H 453](#), [H 454](#), [H 455](#), [H 456](#), [H 457](#), [H 458](#), [H 459](#), [H 460](#), [H 461](#), [H 462](#), [H 463](#), [H 464](#), [H 465](#), [H 466](#), [H 467](#), [H 468](#), [H 469](#), [H 470](#), [H 471](#), [H 472](#), [H 473](#), [H 474](#), [H 475](#), and [H 476](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Mr. Crane asked unanimous consent that [H 363](#) on General Orders, be filed for Second Reading. There being no objection, it was so ordered.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

[H 383](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

[H 404](#), by Transportation and Defense Committee, was read the second time by title and filed for third reading.

[S 1201](#), by Health and Welfare Committee, was read the second time by title and filed for third reading.

[H 431](#), by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

[H 392](#) - WATER QUALITY

[H 392](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thompson to open debate.

The question being, "Shall [H 392](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bolz, Boyle, Burgoyne, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Denney, Erpelding, Eskridge, Gannon, Gestrin, Gibbs, Hancey, Harris, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Meline, Mendive, Miller, Monks, Morse, Moyle, Nielsen, Packer, Palmer, Pence, Perry, Raybould, Ringo(Jordan), Romrell, Rubel, Rusche, Shepherd, Sims, Smith, Stevenson, Thompson, Trujillo, VanOrden, Vander Woude, Wills, Wood(27), Wood(35), Woodings, Youngblood, Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 392](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 352](#) - PUBLIC ASSISTANCE

[H 352](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Malek to open debate.

The question being, "Shall [H 352](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Bell, Bolz, Burgoyne, Chew, Clow, Collins, Erpelding, Eskridge, Gannon, Gibbs, Hancey, Hartgen, Henderson, Horman, Kauffman, King, Kloc, Luker, Malek, McDonald, Meline, Miller, Morse, Packer, Pence, Ringo(Jordan), Romrell, Rubel, Rusche, Smith, Thompson, VanOrden, Wills, Wood(27), Woodings, Youngblood, Mr. Speaker. Total – 41.

NAYS – Andrus, Barbieri, Barrett, Bateman, Batt, Boyle, Crane, Dayley, DeMordaunt, Denney, Gestrin, Harris, Hixon, Holtzclaw, Loertscher, McMillan, Mendive, Monks, Moyle, Nielsen, Palmer, Perry, Raybould, Shepherd, Sims, Stevenson, Trujillo, Vander Woude, Wood(35). Total – 29.

Total – 70.

Whereupon the Speaker declared that [H 352](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 353](#) - CHILDREN'S TRUST FUND

[H 353](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Morse to open debate.

The question being, "Shall [H 353](#) pass?"

Roll call resulted as follows:

AYES – Agidius, Anderson(01), Anderson(31), Anderst, Andrus, Bateman, Bell, Bolz, Burgoyne, Chew, Clow, DeMordaunt, Erpelding, Eskridge, Gannon, Gibbs, Hancey, Hartgen, Henderson, Hixon, Holtzclaw, Horman, Kauffman, King, Kloc, Loertscher, Luker, Malek, McDonald, Meline, Miller, Morse, Packer, Pence, Perry, Raybould, Ringo(Jordan), Romrell, Rubel, Rusche, Smith, Thompson, VanOrden, Vander Woude, Wills, Wood(27), Woodings, Youngblood, Mr. Speaker. Total – 49.

NAYS – Barbieri, Barrett, Batt, Boyle, Crane, Dayley, Denney, Gestrin, Harris, McMillan, Mendive, Monks, Moyle, Nielsen, Palmer, Shepherd, Sims, Stevenson, Trujillo, Wood(35). Total – 20.

Absent – Collins. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 353](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Friday, February 7, 2014. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:16 p.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk